

Hand-Delivered

FILED
CHARLOTTE, NC

Pro Se 15 (Rev. 12/16) Complaint for Violation of Civil Rights (Non-Prisoner)

JUN 03 2024

UNITED STATES DISTRICT COURT

for the

Western District of North Carolina

4th Division

US DISTRICT COURT
WESTERN DISTRICT OF NC

Tony Clark Jr.
Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

Mecklenburg County Sheriffs
Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names. Do not include addresses here.)

Case No.

3:24-cv-525-MOC

(to be filled in by the Clerk's Office)

Jury Trial: (check one)



Yes



No

COMPLAINT FOR VIOLATION OF CIVIL RIGHTS

(Non-Prisoner Complaint)

NOTICE

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Except as noted in this form, plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee or an application to proceed in forma pauperis.

I. The Parties to This Complaint**A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name Tony Clark JR.
 Address 6719 Hidden Forest Dr
Charlotte NC 28213
City State Zip Code
 County Mecklenburg
 Telephone Number 8625 297-5592
 E-Mail Address Lusueclarkjr@gmail.com

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed.

Defendant No. 1

Name Mecklenburg County Sheriff's
 Job or Title (if known) Government Agency
 Address 700 E 4th St
Charlotte NC 28202
City State Zip Code
 County Mecklenburg
 Telephone Number 704 336-8100
 E-Mail Address (if known) www.mecksheriff.com
☐ Individual capacity ☒ Official capacity

Defendant No. 2

Name Officer Stafford or Stratford
 Job or Title (if known) Officer
 Address N/A
City State Zip Code
 County Mecklenburg
 Telephone Number N/A
 E-Mail Address (if known) N/A
☒ Individual capacity ☐ Official capacity

Defendant No. 3

Name

Sgt. Fenwell

Job or Title (if known)

Lieutenant

Address

N/A

N/A

City

N/A

State

Zip Code

County

N/A

Telephone Number

N/A

E-Mail Address (if known)

N/A



Individual capacity



Official capacity

Defendant No. 4

Name

Brown

Job or Title (if known)

Nurse

Address

N/A

N/A

City

State

Zip Code

County

N/A

Telephone Number

N/A

E-Mail Address (if known)

N/A



Individual capacity



Official capacity

II. Basis for Jurisdiction

Under 42 U.S.C. § 1983, you may sue state or local officials for the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against (check all that apply):

Federal officials (a *Bivens* claim)

State or local officials (a § 1983 claim)

B. Section 1983 allows claims alleging the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?

Eighth Amendment

C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?

- D. Section 1983 allows defendants to be found liable only when they have acted "under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia." 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.

Sgt, Fenwell, Officer Stafford (Stafford) Drove Change
of command. Subjecting me to cruel & unusual punishment
Nurse Brown neglect of medical needs

III. Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

- A. Where did the events giving rise to your claim(s) occur?

Mecklenburg County Jail,

708 E 4th St, Charlotte NC 28202

- B. What date and approximate time did the events giving rise to your claim(s) occur?

4/9/24 to 4/26/24 Approx. NA all dates are on kiosk
4/26/24 to 4/28/24

- C. What are the facts underlying your claim(s)? (For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)

The chain of command was broken by officers Stafford
or Stafford as well as Sgt, Fenwell. Nurse Brown
never authorized for shoes do to my medical needs.
Never got my meds. The provider subscribed.
Officer Stafford Stafford said rude remarks.
All inmates in 6800 (unit) at the dates I was
present. Was held against my own free will. Judge
released me on Friday. Didn't leave until Sunday

IV. Injuries

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive.

Wasn't giving my compression socks or shoes for support of my right leg. Right leg ^{making} me limp because of the temperature 6500. unit. Wasn't giving my prescription. Was held in jail After Judge released me.

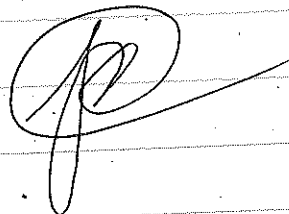
V. Relief

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.

Compensation \$13.5 million US Dollars
Cruel and unusual Punishment +
Medical Neglect

5/6/24

I'm waiting on compensation
from North Carolina State, Victim
of a violate crime.



Witness: Inmates that were in 6560
during dates stated, Officer MAPP, officer
Mohammed Officer Cassie, Captain Van Allen,
Corporal that was in 6560 after my first grievance
on Stafford or Stratford

